

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARGARITO LEMUS ESTRADA,

Defendant.

Case No. CR10-5373RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant Margarito Lemus Estrada's Motion for Order Compelling Production of Discovery [Dkt. #244] as specifically joined by Defendant Alicia Alavarez [Dkt. #266] and Defendant Hirbit Garcia Pena [Dkt. #268]. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

The defendants' motion seeks a wide variety of evidence, some that is discoverable, some that is not. To the extent the evidence is discoverable, such as *Brady* and *Giglio* evidence, the government's response to the motion indicates that it has provided *Brady* materials and is not aware of any *Giglio* evidence. The government indicates it will continue to provide *Brady* materials when and if it discovers more, and will provide *Giglio* evidence if it uncovers any. Furthermore the government has provided NCIC records and will provide TECS records of the defendants.

To the extent the defendants seek "production of all information relating to this case and related investigations from all government databases," it is over-broad. *See* Fed. R. Crim. P. 16(a). The

1 government's response to the defendants motion indicates that it has provided the defendants the
2 information to date they are entitled to under the Rule, and in some instances, more so. The Court agrees
3 that the government has met its discovery obligations thus far. If a later discovery dispute arises, the
4 defendants may bring a new motion to compel production of discovery, or may orally inform the Court of
5 continuing discovery issues at the November 18, 2010 motions hearing. Therefore, Defendants' Motion
6 for Order Compelling Production of Discovery [Dkt. #'s 244, 266, 268] is **DENIED WITHOUT**
7 **PREJUDICE.**

8 **IT IS SO ORDERED.**

9 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party
10 appearing pro se.

11 Dated this 8th day of November, 2010.

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14 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE